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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,
v.
BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,
Defendant.

In re:

BERNARD L. MADOFF,
Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,
v.
BRIERPATCH INVESTMENT LLC, as successor
in interest to Brierpatch Investment Limited
Partnership; GEORGE D. LEVY TRUST U/T/D
AUGUST 17, 1990, in its capacity as a member of
Brierpatch Investment LLC; KAREN S. LEVY
TRUST U/T/D DATED AUGUST 17, 1990, in its
capacity as a member of Brierpatch Investment

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04402 (SMB)

LLC; LISA M. LEVY 1987 TRUST U/T/D JUNE 17, 1987, in its capacity as a member of Brierpatch Investment LLC; PAUL D. LEVY 1989 TRUST U/T/D DECEMBER 21, 1989, in its capacity as a member of Brierpatch Investment LLC; JOANNE V. LEVY 1996 TRUST U/T/D MARCH 26, 1996, in its capacity as a member of Brierpatch Investment LLC; LEVY FAMILY 2002 IRREVOCABLE TRUST U/T/D MAY 13, 2002, in its capacity as a member of Brierpatch Investment LLC; ESTATE OF GEORGE D. LEVY; KAREN S. LEVY, in her capacity as Trustee for the George D. Levy Trust, the Karen S. Levy Trust, the Lisa M. Levy 1987 Trust, the Paul D. Levy 1989 Trust and the Joanne V. Levy 1996 Trust and in her capacity as Personal Representative of the Estate of George D. Levy; ROBERT C. FIRST, in his capacity as Trustee for the George D. Levy Trust, the Karen S. Levy Trust and the Levy Family 2002 Irrevocable Trust; DAVID R. ANDELMAN, in his capacity as Trustee for the George D. Levy Trust, the Karen S. Levy Trust and the Levy Family 2002 Irrevocable Trust; LISA L. SHAUB, individually and in her capacity as custodian for N.S. and G.S., Members of Brierpatch Investment LLC; PAUL D. LEVY, individually and in his capacity as custodian for J.L. and B.L., Members of Brierpatch Investment LLC; and JOANNE V. LEVY, individually and as a Member of Brierpatch Investment LLC,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF ADVERSARY PROCEEDING

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure

applicable in adversary proceedings), hereby dismisses the above-captioned adversary proceeding without prejudice. Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss this adversary proceeding without further order of the court by filing this Notice of Dismissal as, as of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Date: December 30, 2014
New York, New York

Of Counsel:

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